

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NO. KEL01 P-146 U.S. APPLICATION NO. (if known, see 37 CFR 1.51) 10/553929
INTERNATIONAL APPLICATION NO. PCT/EP2004/04380	INTERNATIONAL FILING DATE April 22, 2004	PRIORITY DATE CLAIMED April 22, 2003
TITLE OF INVENTION A DEVICE FOR USE IN PARIETAL SURGERY		
APPLICANT(S) FOR DO/EO/US Patrick Leahy		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)): <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11. to 20. below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

US APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/553929</div>		INTERNATIONAL APPLICATION NO. PCT/EP2004/04380		ATTORNEY'S DOCKET NO. KEL01 P-146	
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The following fees are submitted: 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300.00 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) <input type="checkbox"/> If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 <input checked="" type="checkbox"/> All other situations \$200.00 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) <input type="checkbox"/> If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 <input type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 <input checked="" type="checkbox"/> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00 <input type="checkbox"/> All other situations \$500.00 <div style="text-align: right;">TOTAL OF 21, 22 and 23 =</div>				Calculations \$300 \$ \$200 \$400 \$900	Office use only								
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Total Sheets</td> <td style="width: 20%;">Extra sheets</td> <td style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td style="width: 30%;">RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> </table>				Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250.00	\$	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE										
- 100 =	/50 =		x \$250.00										
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				\$130									
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE										
Total claims	29 - 20 =	9	x \$ 50.00	\$450									
Independent claims	2 - 3 =	0	x \$ 200.00	\$									
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$									
TOTAL OF ABOVE CALCULATIONS				=	\$1480								
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$740								
SUBTOTAL				=	\$740								
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$									
TOTAL NATIONAL FEE				=	\$740								
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$								
TOTAL FEES ENCLOSED				=	\$740								
				Amount to be refunded:	\$								
				charged:	\$								

US APPLICATION NO. (if known, see 37 CFR 1.5)

10/553929

INTERNATIONAL APPLICATION NO.

PCT/EP2004/04380

ATTORNEY'S DOCKET NO.

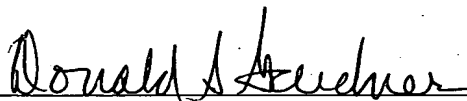
KEL01 P-146

- a. ☒ A check in the amount of \$740 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 22-0190 in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0190. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Donald S. Gardner
Van Dyke, Gardner, Linn & Burkhart, LLP
Post Office Box 888695
Grand Rapids, Michigan 49588-8695



Donald S. Gardner (signature)
Registration No. 25 975

Telephone: (616) 975-5502

Facsimile: (616) 975-5505

Date: OCTOBER 20, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Application No. : PCT/EP2004/04380
International Filing Date : April 22, 2004
Applicants : Patrick Leahy
For : A DEVICE FOR USE IN PARIETAL SURGERY

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

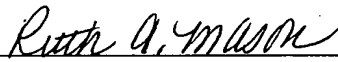
Dear Sir:

CERTIFICATE OF EXPRESS MAIL

I certify that the attached return postcard; Transmittal Form PTO-1390 (in duplicate); Patent Application Bibliographic Data Form; true copy of the specification, claims and drawings of PCT International Application No. PCT/EP2004/04380 consisting of 19 pages of Specification, 5 pages of Claims (29 claims), 1 page Abstract, five (5) sheets of drawings (in duplicate); Declaration (unsigned); Preliminary Amendment; Information Disclosure Statement with attached 1 page of PTO-1449 and attached International Search Report and two (2) reference documents, and a check in the amount of \$740 for the filing fee, are being deposited with the United States Postal Service as Express Mail in an envelope having Express Mail Label Number EV682821837US addressed to:

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on October 20, 2005.



Ruth A. Mason
Van Dyke, Gardner, Linn & Burkhardt, LLP
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5502

DSG/ram
Enclosures